

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

THE OTTER PROJECT,
ENVIRONMENTAL DEFENSE CENTER,

Plaintiffs,

v.

KEN SALAZAR, ROWAN GOULD,
UNITED STATES DEPARTMENT OF
THE INTERIOR, UNITED STATES FISH
& WILDLIFE SERVICE,

Defendants,

CALIFORNIA SEA URCHIN
COMMISSION, PETER HALMAY,
HARRY LIQUORNIK, CALIFORNIA
ABALONE ASSOCIATION, SONOMA
COUNTY ABALONE NETWORK,

Intervenor-Defendants.

No. C 09-4610 JW

**STIPULATION AND [PROPOSED]
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

Pursuant to Civil L.R. 6-2 and 7-12, this Stipulation is entered into by and between
Plaintiffs, The Otter Project and Environmental Defense Center, Federal Defendants, Ken

1 Salazar, Secretary of the United States Department of the Interior, Rowan Gould, Acting
2 Director of the U.S. Fish & Wildlife Service, the United States Department of the Interior, and
3 the United States Fish & Wildlife Service, and Intervenor-Defendants, California Sea Urchin
4 Commission, Peter Halmay, Harry Liquornik, California Abalone Association, and Sonoma
5 County Abalone Network.

6 WHEREAS, the Court, in its Order of May 5, 2010, set a Case Management Conference
7 in the above-captioned matter for May 24, 2010, at 10:00 a.m. (Doc. No. 42 at 10);

8 WHEREAS, counsel for Federal Defendants will be out of the country and unavailable
9 from May 14, 2010 to May 26, 2010, due to previously scheduled personal commitments, and is
10 otherwise unavailable on June 21, 2010, and June 28, 2010;

11 WHEREAS, counsel for Intervenor-Defendants will be out of the country and
12 unavailable from June 1, 2010, to June 14, 2010, due to previously scheduled personal
13 commitments;

14 WHEREAS, the parties agree that continuing the Case Management Conference in this
15 matter will not materially impede the progress of this litigation, and may facilitate discussions
16 regarding settlement;

17 NOW, THEREFORE, the undersigned parties stipulate as follows:

- 18 1. The Case Management Conference set for May 24, 2010, shall be CONTINUED to July
19 12, 2010 at 10:00 a.m. Alternatively, if the Court prefers, the parties are available for a
20 special setting at any time on June 22 or 23, 2010.
- 21 2. The parties shall file a Joint Case Management Statement ten days prior to the Case
22 Management Conference.

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1 May 6, 2010

Respectfully Submitted,

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3 /s/ Brian Segee (by LEF, as authorized 5/6/10)

4 Brian Segee (Cal. Bar No. 200795)

5 Environmental Defense Center

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11 Attorney for Plaintiffs

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JEAN E. WILLIAMS, Section Chief

/s/ Lawson E. Fite

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U.S. Department of Justice

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Attorneys for Federal Defendants

/s/ George J. Mannina, Jr. (by LEF, as authorized 5/6/10)

George J. Mannina, Jr. (D.C. Bar No. 316943)

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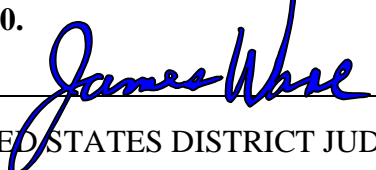
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8 Attorneys for Intervenor-Defendants

9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

10 The request to continue the **May 24, 2010** case management conference is DENIED. The case
11 management remains on calendar as previously scheduled. The parties shall file their joint case
12 management conference statement by **May 14, 2010**.

13 Dated: May 13, 2010

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15 UNITED STATES DISTRICT JUDGE
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